



Montana High School Association

1 South Dakota Avenue ♦ Helena, MT 59601 ♦ (406) 442-6010 ♦ Fax: (406) 442-8250 ♦ www.mhsa.org

JUDICIARY
SENATE JUDICIARY
EXHIBIT NO. _____
DATE 1/14/11
FILE NO. 584

Submitted Testimony

Senate Judiciary Committee

Senate Bill 4 January 14, 2011

Mark Beckman, Executive Director – Montana High School Association (MHSA) and
Commissioner of the Montana Officials Association (MOA)

Senator Shockley and members of the committee, my name is Mark Beckman and I am the Executive Director of the Montana High School Association and also serve as the Commissioner of the Montana Officials Association (MOA). I am unable to appear in person today as I am traveling to Billings for the MHSA Annual Meeting.

The mission of the MOA is to advance and to sustain fair, competent and ethical officiating while providing safe competition at all levels of Montana's interscholastic athletic activities. The 1,690 members of the MOA and the 179 MHSA member high schools are in support of Senator Lewis's bill providing immunity from civil liability for sport officials. Officials, by state law, are independent contractors and the passage of this bill would protect both the schools as the employer, and the officials as independent contractors, from unreasonable or trifling lawsuits filed when emotions are running high and a party wants to blame the game officials for a loss etc.

Officials train and study extremely hard for the particular sport(s) they officiate. They are required to meet in weekly study clubs, view a yearly online rules clinic, complete mechanics training, test to upgrade and be evaluated by their local pool. Officials are competent, dedicated individuals who officiate not for the money but for the love of their avocation. These individuals provide an essential service for high school sporting events. There is a shortage of sports officials in this state and throughout the nation and passage of this bill would help in recruiting and retaining officials because the threat of unfounded lawsuits would not exist.

Appropriately, the bill does not provide blanket immunity because the official can still be held liable if injury or damage was sustained because of gross negligence or the willful, wanton, or intentional action or inaction of the official in the athletic contest.

On behalf of the 179 MHSA member high schools and the 1,690 MOA members, I encourage your support for the passage of Senate Bill 4. I would like to thank Senator Lewis for introducing this important bill and thank you, Senator Shockley, and members of the Senate Judiciary Committee for your time and for your consideration of this bill.